



PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

PABLO CASANOVA RAMON-BORJA

Serial No.: 09/985,961

Filed: November 5, 2001

Group Art Unit: 3635

Examiner: Nahid Amiri

For: TILE SIMULATING FOUR TILES WITH A RETICULATED MESH
SUPPORT AND FREE ASSEMBLY

RESPONSE

To the Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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GROUP 3600

Sir:

Reconsideration of the rejections set forth in the Official Action of January 8, 2004 is respectfully requested.

The objection under 37 CFR §1.83(a) to the effect that the drawings do not show every feature of the invention specified in the claims is incorrect. Attention is invited to the amendments in the Specification (Substitute Specification) on page 2 of the Amendment filed October 16, 2003, and further to the information set forth on page 8 relating to Claim 11 of that Amendment. Yet further, attached to that Amendment were proposed changes to Figures 1 and 4.

Review of the foregoing should, it is submitted, convince the Patent Examiner that each of the elements involved in the claims is shown in the existing and proposed drawings. Moreover, it will be noted that reference numeral "8" is included not once, but twice, in the

amendment to the Specification (Substitute Specification) on page 2 of the Official Action of October 16, 2003.

All of the questions raised concerning objections to the Specification under 35 U.S.C. §112 in a paragraph that bridges pages 2 and 3 of the Official Action were answered in the Amendment of October 16, 2003. Again, in particular, attention is invited to page 8 of that Amendment.

The Examiner is courteously invited to Section 2173.05(f) of the Manual of Patent Examining Procedure. In such Section, it is indicated, among other things, that the mere fact that a term or phrase used in a claim has no antecedent basis in the Specification disclosure does not mean necessarily that the term or phrase is indefinite. There is no requirement that the words in the claim must match those used in the specification disclosure. The Applicant should be given a great deal of latitude on how he chooses to define his invention as long as the terms and phrases used define the invention with a reasonable degree of clarity and precision. It is respectfully submitted that this has been accomplished in the instant Application beyond chance per-adventure.

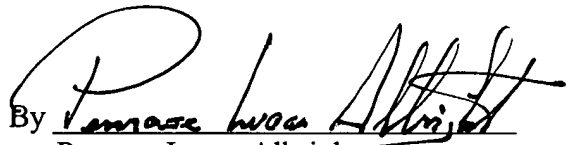
Concerning the requirement for new drawings, amendments to the drawings were submitted in the Amendment of October 16, 2003 and it is courteously, but firmly, suggested that further corrections to the drawings are not necessary.

If, upon further consideration, the Examiner does not allow the instant Application, it is submitted that an interview will be appropriate because, in such case, there will seem to be a continued failure of communication between the Examiner and the undersigned which can best be eliminated through an interview. The Examiner is also invited to telephone the undersigned if the Examiner has any particular questions.

In summation, it is submitted that contrary to what is set forth in the Official Action, the drawings show every feature of the invention specified in the claims, including the proposed drawing corrections which are adequate were already submitted with the Amendment filed October 16, 2003. The amendments proposed to the Specification definitely include reference numeral "8." The Specification, as amended, meets the requirements of 35 U.S.C. §112, first paragraph, and is not confusing. Where different terminology is used that use is clearly appropriate and it is not confusing. Accordingly, it is submitted that the Application is in form for allowance and a determination to such effect is most respectfully solicited.

Respectfully submitted,

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